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Carson P. v. Heineman

FILE NO., COURT, AND DATE FILED

4:05-cv-03241-RGK-DLP (D. Neb., Sep. 19, 2005)

CITATIONS

None

CLEARINGHOUSE REVIEW NO.

None

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**FOSTER CARE REFORM
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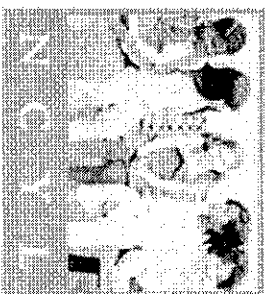


EXHIBIT 2

ISSUES

Plaintiffs filed this case on behalf of five children who have suffered physical and psychological harm while in the custody of the Nebraska Division of Health and Human Services (HHS), and as a class action on behalf of 6,000 foster children in state custody in Nebraska. The complaint alleged violations of the children's constitutional rights, their rights under Title IV-E and IV-B, and their rights pursuant to the Early Periodic Screening Diagnosis and Treatment provisions of the Medicaid Act. The lawsuit charges the state with failing to address longstanding systemic problems such as a drastic shortage of foster homes, high caseloads for case workers assigned to monitor child safety, a lack of mental health care services, the lowest payments to care for foster children in the country, and a lack of services and resources to get children adopted.

HISTORY AND STATUS

Plaintiffs filed their complaint and a motion for class certification on September 19, 2005. The court has ordered the parties to conduct discovery into the facts and circumstances of the named plaintiffs and has indicated that it will rule on plaintiffs' class certification motion in early 2006.

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